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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,043	10/30/2003	Masamichi Akashi	CANO:097	1169
37013	7590	03/17/2009	EXAMINER	
ROSSI, KIMMS & McDOWELL LLP. 20609 Gordon Park Square, Suite 150 Ashburn, VA 20147			HUNTSINGER, PETER K	
ART UNIT		PAPER NUMBER		
2625				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/698,043	AKASHI, MASAMICHI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Peter K. Huntsinger	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 20 February 2009.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 9-13 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 9-13 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Response to Arguments***

1. Applicant's arguments filed 2/20/09 have been fully considered but they are not persuasive.

The applicant argues on pages 5 and 6 of the response in essence that:

Neither Shima '894 nor Fan '706 disclose determining whether access from the network printer 11 or the router/firewall 10 is permitted or restricted by the network printer 11 or the router/firewall 10.

- a. Shima '894 discloses a printing apparatus that accesses a specified server in order to acquire data (receive control section 16 of Fig. 9, col. 5, lines 6—67, accesses a web page address and downloads information). Fan '706 discloses determining whether access from a communicating host to a destination address is permitted or restricted by the router/firewall 10 (col. 8, lines 49-59). At the time of the invention, it would have been obvious to implement the access control functions of the router/firewall 10 of Fan '706 into the network printer 11 of Shima '894. The motivation for doing so would have been to integrate the router/firewall 10 functions into one device as opposed to providing two separate devices, and to protect the system from attempts to steal information or disrupt functions. Further, Fan '706 discloses that the firewall may be implemented on a general-purpose network host machine (col. 5, lines 5-10), which has the capability to send packets and provide access control on the same device.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shima '894, and further in view of Fan '706.

Referring to **claim 9**, Shima '894 discloses a printing apparatus that performs printing based on data acquired from a server on a network, comprising:

a reception device that receives a network address of a server on the network from an information processing apparatus (URL storage subsection 20 of Fig. 4, col. 6, lines 10-13, stores the URL specified by the host computer); and

an accessing device that accesses the specified server in order to acquire data from the specified server (receive control section 16 of Fig. 9, col. 5, lines 6—67, accesses a web page address and downloads information).

Shima '894 does not disclose expressly determining whether access to the server is permitted based on access restriction information.

Fan '706 discloses a registration device (col. 4, lines 1-7, memory storing access control list) that registers access restriction information, the access restriction information including a plurality of network addresses of servers on the network and

indicating whether access from a host to each of the servers is permitted or restricted (col. 8, lines 49-59, access control list specified the addresses of communicating hosts);

a determination device (col. 3, lines 57-61, a processor compares packet header information with the access control criteria) that determines, based on the access restriction information, whether the access from the host to the server that is specified by the network address received by said reception device is permitted or restricted (step 406 of Fig. 4, col. 9, lines 16-23, determines whether the packet meets authorization criteria including IP address); and

allowing access in a case where it is determined that the access from the host to the specified server is permitted (step 414 of Fig. 4, col. 9, lines 60-67, allows packet to pass to address);

wherein said accessing device does not access the specified server in a case where it is determined that the access from the host to the specified server is restricted; and

wherein said determination device determines whether the access from the host to the specified server is permitted or not in accordance with default settings in a case where the network address received by said reception device is not included in the access restriction information (col. 8, lines 32-38, uninvited packet [not listed in the access control list] may be allowed to pass based on the security access policy).

At the time of the invention, it would have been obvious to implement access control functions into a printer. The motivation for doing so would have been to protect the system from attempts to steal information or disrupt functions, and integrate the

access control functions into one device as opposed to two separate devices.

Therefore, it would have been obvious to combine Fan '706 with Shima '894 to obtain the invention as specified in claim 9.

Referring to **claim 10**, Fan '706 discloses wherein the access restriction information further includes protocol information indicating a protocol that is used to access each of the servers (col. 8, lines 32-48, restriction policies could include IP protocol field).

Referring to **claim 11**, Fan '706 discloses wherein the access restriction information further includes port number information indicating a port number that is used to access each of the servers (col. 9, lines 16-31, access control criteria could include protocols identified by port numbers).

Referring to **claim 12**, Shima '894 discloses a method of controlling a printing apparatus comprising the steps of:

receiving a network address of a server on a network from an information processing apparatus (URL storage subsection 20 of Fig. 4, col. 6, lines 10-13, stores the URL specified by the host computer); and

accessing the specified server in order to acquire data from the specified server (receive control section 16 of Fig. 9, col. 5, lines 6—67, accesses a web page address and downloads information).

Shima '894 does not disclose expressly determining whether access to the server is permitted based on access restriction information.

Fan '706 discloses registering access restriction information, the access restriction information including a plurality of network addresses of servers on the network and indicating whether access from a host to each of the servers is permitted or restricted (col. 8, lines 49-59, access control list specified the addresses of communicating hosts);

determining, based on the access restriction information, whether the access from the host to the server that is specified by the received network address is permitted or restricted (step 406 of Fig. 4, col. 9, lines 16-23, determines whether the packet meets authorization criteria including IP address); and

wherein the specified server is not accessed in a case where it is determined that the access from the host to the specified server is restricted; and

wherein whether or not the access from the host to the specified server is permitted is determined in accordance with default settings in a case where the received network address is not included in the access restriction information (col. 8, lines 32-38, uninvited packet [not listed in the access control list] may be allowed to pass based on the security access policy)..

At the time of the invention, it would have been obvious to implement access control functions into a printer. The motivation for doing so would have been to protect the system from attempts to steal information or disrupt functions, and integrate the access control functions into one device as opposed to two separate devices. Therefore, it would have been obvious to combine Fan '706 with Shima '894 to obtain the invention as specified in claim 12.

Referring to **claim 13**, Shima '894 discloses a program stored in a computer-readable medium for causing a computer to execute a method of controlling a printing apparatus, the method comprising the steps of:

receiving a network address of a server on a network from an information processing apparatus (URL storage subsection 20 of Fig. 4, col. 6, lines 10-13, stores the URL specified by the host computer); and

accessing the specified server in order to acquire data from the specified server (receive control section 16 of Fig. 9, col. 5, lines 6—67, accesses a web page address and downloads information).

Shima '894 does not disclose expressly determining whether access to the server is permitted based on access restriction information.

Fan '706 discloses registering access restriction information, the access restriction information including a plurality of network addresses of servers on the network and indicating whether access from a host to each of the servers is permitted or restricted (col. 8, lines 49-59, access control list specified the addresses of communicating hosts);

determining, based on the access restriction information, whether the access from the host to the server that is specified by the received network address is permitted or restricted (step 406 of Fig. 4, col. 9, lines 16-23, determines whether the packet meets authorization criteria including IP address); and

wherein the specified server is not accessed in a case where it is determined that the access from the host to the specified server is restricted; and

wherein whether or not the access from the host to the specified server is permitted is determined in accordance with default settings in a case where the received network address is not included in the access restriction information (col. 8, lines 32-38, uninvited packet [not listed in the access control list] may be allowed to pass based on the security access policy)..

At the time of the invention, it would have been obvious to implement access control functions into a printer. The motivation for doing so would have been to protect the system from attempts to steal information or disrupt functions, and integrate the access control functions into one device as opposed to two separate devices. Therefore, it would have been obvious to combine Fan '706 with Shima '894 to obtain the invention as specified in claim 13.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter K. Huntsinger/  
Examiner, Art Unit 2625

/David K Moore/  
Supervisory Patent Examiner, Art Unit 2625